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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
THOMAS JOSEPH O'MEARA,
Defendant.

No. CR 10-00562 JF

**[PROPOSED] ORDER RESCHEDULING
STATUS CONFERENCE AND
EXCLUDING TIME FROM THE
SPEEDY TRIAL ACT CALCULATION
(18 U.S.C. § 3161(h)(8)(A))**

This matter is currently set for status on January 27, 2011. The parties now jointly request that the January 27, 2011 hearing date be reset for March 17, 2011 to allow the defense additional time to receive the discovery in the case. The parties agree, and the Court finds and holds, as follows:

1. The currently scheduled January 27, 2011 hearing date is hereby vacated.
2. This matter is set for status on March 17, 2011, at 9:00 a.m.
3. The time between January 27, 2011 and March 17, 2011 is excluded under the Speedy Trial Act. The parties agree that the failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking

1 into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties agree
2 that the ends of justice served by granting the requested continuance outweigh the best interest of
3 the public and the defendant in a speedy trial and in the prompt disposition of criminal cases.
4 See 18 U.S.C. § 3161(h)(8)(A).

5
6 STIPULATED:

7 DATED: 1/25/11

/s/
JEANE DEKELVER
Defense Counsel

8
9
10 DATED: 1/25/11

/s/
JOSEPH A. FAZIOLI
Assistant United States Attorney

11
12 IT IS SO ORDERED.

13 DATED: 1/25/11


JEREMY FOEL
UNITED STATES DISTRICT JUDGE